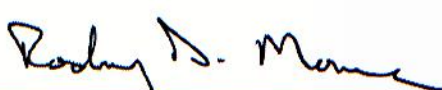


**RICHMOND POLICE DEPARTMENT GENERAL ORDER**

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be constructed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Chapter 6	Number 21	Effective Date 05/13/08	Review Date 2011
Subject SEAT BELT USAGE		☐ New Order	
References CALEA 41.3.3 VLEPSC OPR.01.04, OPR.08.01a, OPR.09.01, PER.09.02 and PER.09.03 VA Codes §46.2-1094 and 65.2-306		☒ Replaces O.O. 1001-10, (06/11/04)	
 _____ Chief of Police or Designee		05/13/08 _____ Date	

I. PURPOSE

The purpose of this *directive* is to *minimize the possibility of death or injury to drivers and/or passengers in Departmental vehicles that may be involved in traffic crashes and* to establish the basic responsibilities of members of the Richmond Police Department regarding the wearing of seat belts when traveling in any City vehicle.

II. POLICY

Evidence indicates that the use of safety belts and other restraining devices have significant impact on reducing the number of deaths and the severity of injuries resulting from traffic crashes and also assist officers in maintaining proper control of their vehicles in pursuits or emergency high speed operations. It is the policy of the Department that all occupants of City-owned vehicles wear the manufacturer's supplied *safety belt restraining system* when the vehicle is in motion on any public highway or thoroughfare. This policy shall *also* apply to all rentals and seized vehicles utilized by the City.

There are circumstances in which the use of safety belt restraining systems may hamper effective conduct of police functions. Supervisors may grant exceptions in situations where they deem the efficient performance of law enforcement functions outweigh the safety benefit of utilizing a safety belt restraining system.

III. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this General Order. Failure to comply will result in appropriate corrective action. Responsibility rests with the Division Commander to ensure that any violations of

policy are investigated and appropriate training, counseling and/or disciplinary action is initiated.

IV. PROCEDURE

A. Wearing of Seat Belts:

1. The manufacturer's supplied seat belt system shall be worn in accordance with the instructions outlined in the vehicle owner's manual. Occupants shall not wear *the* shoulder belt in a manner other than that prescribed in the owner's manual (e.g. behind their back, under their arm, et cetera).
2. All prisoners shall be properly seated and restrained with the manufacturer's supplied seat belt system in accordance with Department policy.
3. *With the exception of* emergency situations, it shall be the responsibility of all vehicle operators to ensure that their passengers, including prisoners, are properly seated and secured with the manufacturer's supplied seat belt system prior to moving the vehicle.

B. Exceptions to this Policy:

VA Code §46.2-1094 excludes police officers from mandatory seat belt *usage* in the following situations:

1. When transporting individuals in custody – **REQUIRES SUPERVISORY AUTHORIZATION.**
2. When enforcing laws governing motor vehicle parking – **REQUIRES SUPERVISORY AUTHORIZATION.**
3. **FOR A SHORT PERIOD OF TIME** when traveling in circumstances which render the *use* of a seat belt system impractical, including but not limited to the following situations:
 - a. Approaching an incident scene; *or*,
 - b. When the officer believes that a rapid exit from the vehicle may be required.

- C. If a Department employee is injured in an accident while traveling in a City vehicle and it is determined that the individual was not wearing a properly adjusted and secured seat belt system, that person may be denied Worker's Compensation *Benefits pursuant to* the Virginia Worker's Compensation Act (*VA Code §65.2-306*).

V. ROLES AND ACCOUNTABILITY

- A. *Any Department member operating a City-owned motor vehicle shall:*

1. *Wear the manufacturer's supplied seat belt system in accordance with the instructions outlined in the vehicle owner's manual;*
2. *Ensure passengers, including prisoners, are properly seated and secured with the manufacturer's supplied seat belt system in accordance with Department policy and prior to moving the vehicle;*
3. *Obtain prior permission from supervisory personnel to not wear safety belts, when appropriate, while:*
 - a. *Transporting individuals in custody; or,*
 - b. *Enforcing laws governing motor vehicle parking.*
4. *Exercise the utmost care in instances where circumstances may render wearing a set belt impractical, such as:*
 - a. *Approaching an incident scene; or,*
 - b. *When the officer believes that a rapid exit from the vehicle may be required.*

B. *Supervisory Personnel shall:*

Ensure that the subordinates under their command are familiar with and comply with the provisions of this policy.